

IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM  
CRIMINAL MINUTES  
SENTENCING

**FILED**  
DISTRICT COURT OF GUAM

JUL - 8 2005

MARY L.M. MORAN  
CLERK OF COURT

CASE NO. CR-05-00005-003

DATE: 07/08/2005

TIME: 10:23 a.m.

HON. ROBERT M. TAKASUGI, Designated Judge, Presiding

Official Court Reporter: Wanda Miles

Hearing Electronically Recorded - RUN TIME: 10:23:19 - 10:27:06

Law Clerk: NONE PRESENT

Courtroom Deputy: Virginia T. Kitgore

CSO: D. Quinata / F. Tenorio

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\*\*\*\*\* APPEARANCES \*\*\*\*\*

DEFT: JAE HEE KIM

(X) PRESENT (X) CUSTODY ( ) BOND ( ) P.R.

ATTY: CURTIS VAN DE VELD

(X) PRESENT ( ) RETAINED ( ) FPD (X) CJA APPOINTED

U.S. ATTORNEY: RUSSELL STODDARD

AGENT:

U.S. PROBATION: CARLEEN BORJA

U.S. MARSHAL: S. LUJAN / W. GRAY

INTERPRETER: HEE JUNG WONG, previously sworn

LANGUAGE: KOREAN

( ) ARGUMENT FOR A DOWNWARD DEPARTURE BY THE GOVERNMENT DEFENSE GRANTED  
COURT DEPARTS TO A LEVEL FROM A LEVEL

( ) ARGUMENT FOR AN UPWARD DEPARTURE BY THE GOVERNMENT DEFENSE

( ) COURT STATES THE APPROPRIATE BASE OFFENSE LEVELS

Base offense level:

Total offense level:

Criminal History Category:

NO OBJECTIONS BY THE GOVERNMENT AND DEFENSE

( ) ATTORNEY FOR DEFENDANT ADDRESSES THE COURT:

( ) DEFENDANT ADDRESSES THE COURT AND APOLOGIZES

( ) GOVERNMENT ADDRESSES THE COURT AND MAKES ITS RECOMMENDATION:

( ) LETTER(S) OF RECOMMENDATION RECEIVED BY THE COURT

NOTES/OTHER MATTERS:

Defense requested the Court to continue the sentencing because he intends to raise two issues which may reduce Defendant's sentencing range. Government did not object, however, he stated that he has not received any filings from Defense regarding the guidelines. He further stated that he will be off-island from August 1 through the 22<sup>nd</sup> and requested that the continuance be set for sometime after his return. Defendant had no objection to the continuance. The Court continued the sentencing to August 29, 2005 at 10:30 A.M. Defense stated that he will serve and file his memorandum two weeks prior to the sentencing date.